



Legal, Accounting and Business (LAB) Assistance Program Guidelines

PURPOSE

The purpose of the Legal, Accounting and Business Development (LAB) Program is to enhance administrative capabilities, increase financial capacity and strengthen the business operations of Disadvantaged Business Enterprise (DBE) clients through the utilization of professional consultant assistance. Ultimately, the Virginia Department of Transportation (VDOT) seeks to increase DBE competitiveness and ensure their successful participation in the highway construction industry. The Virginia Department of Transportation will pay up to \$2500 for professional services to DBE firms with limited resources.

ELIGIBILITY

All certified DBE's are eligible to participate in the supportive service program; however, the focus of supportive service will be directed to firms actively involved in the highway program. An active firm is considered one that has existing contracts and/or firms bidding on contracts. Out-of-state firms are encouraged to seek supportive service assistance through their home state.

PARTNERSHIP

The success of business development services lies in the commitment from all parties involved in the process of identifying, securing, implementing, and evaluating the professional consultant services provided to DBE firms. VDOT's role is to facilitate the services and the relationships between DBEs, consultants who can professionally meet DBE needs, and the Virginia Department of Minority Business Enterprise (VDMBE), who provides technical and management assistance to DBEs on an ongoing basis. It is the responsibility of supportive service managers and agents to maintain close working relationships and assist small firms with their technical and managerial needs.

QUICK PROCESS

- ✓ Meet with Virginia Department of Minority Business Enterprise to identify/confirm business need(s).
- ✓ Locate a professional consultant. Consultant must be small, woman or minority (SWAM) certified and will agree to provide 25% of services pro bono.
- ✓ Complete the DBE Legal, Accounting and Business Development Supportive Services Application/Agreement with identified consultant.
- ✓ Additional information may be requested. Services are approved or denied within two weeks based on VDOT committee review of the Supportive Services Application. (link)

SERVICES

VDOT Supportive Services are designed to assist in the planning, organizing, directing, controlling and coordinating phases of business operation. The use of professional consultant services may also assist to resolve an immediate business crisis.

VDOT assumes responsibility for payment of services up to \$2500. The services available to DBEs under this program can be categorized as legal, accounting, and management. They may include:

LEGAL ASSISTANCE

Contract Review & Development
Business Structuring
Stock Sale / Purchase
General Consultation
Federal Regulation Interpretation
Business Structuring

ACCOUNTING ASSISTANCE

Payroll / Bookkeeping
FAR & other Financial Audits
General Consultation
Financial Statement Compilation
Loan / Bond Packaging

BUSINESS DEVELOPMENT

Business Plan
Marketing Plan
Website Development
Promotional Kit

SUPPORTIVE SERVICE PROCESS

Selecting a Consultant

Once a service need has been identified, the DBE firm should select a consultant who can successfully provide the identified services. DBEs may use their own accountant, lawyer, or other qualified business associate, however the firm must be certified as small, woman or minority (SWAM) vendor. Consultants are also required to receive project approval prior to performing services. To identify SWAM vendors, refer to the Virginia Department of Minority Business Enterprise (VDMBE) website: www.dmbe.state.va.gov

Supportive Service Agreement

The DBE and consultant must agree on terms of service. Consultants must agree to provide a specific service at an established hourly rate, and commitment to provide 25% of service pro bono (no cost). The submission on a Supportive Service Application indicates to VDOT that a firm has identified a business development need, has located a consultant, and wishes to initiate the process for service delivery. This form should be signed and dated by the DBE and the identified consultant. When the Supportive Service Application is received from a DBE firm, or an assessment is conducted on the DBE firm by the VDMBE, a client case is established. The process of securing services can take up to 30 days; however, the process can be streamlined depending on service need and VDMBE assessment scheduling.

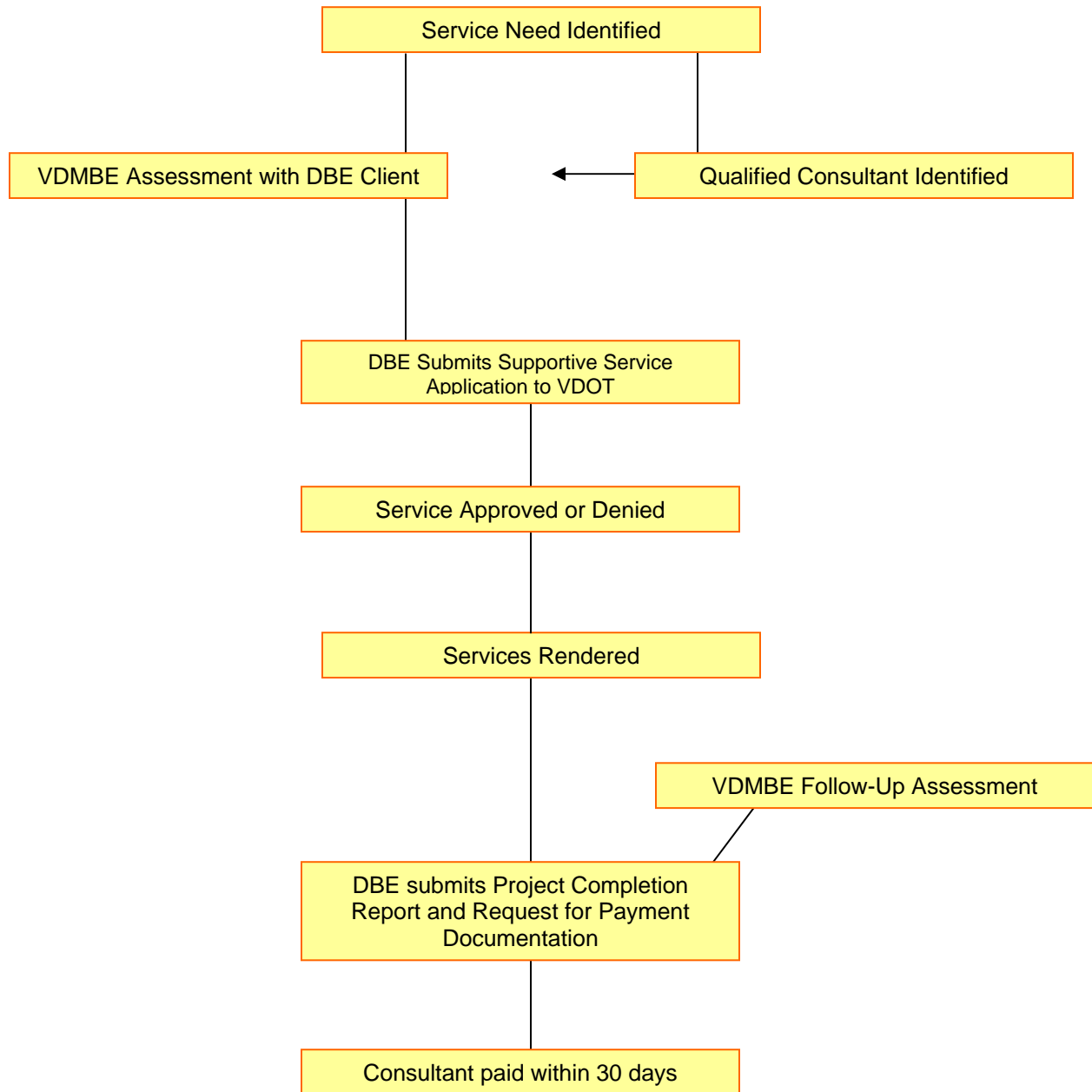
Acknowledgment & Request for Supporting Documentation

Within 5 days of receipt of a Supportive Service Application, VDOT will acknowledge by letter to the DBE, which begins action on the service request. The acknowledgment letter may also request documentation from the DBE for case development. For example, if a firm is seeking accounting assistance, financial statements may be requested. Similarly, if legal assistance for contract review is requested, a copy of the contract to be reviewed may be requested. In most situations, a DBE firm's recent contract history will also be requested. The contract history identifies scope of service provided, total dollar amount of the subcontract(s), location of the work and the names of any prime contractor(s) involved.

DMBE Assessment

The Acknowledgment Letter is copied to DMBE as notice to conduct an assessment if one has not already been performed. Assessments assist to identify and define the specific request for assistance to be provided as well as a guide for the DBE growth and direction of the firm. All documentation is analyzed, and a decision is made by the Civil Rights Division to approve or deny service based on the firm's need, eligibility and available resources. At the conclusion of service delivery, an assessment will also be conducted by VDMBE to confirm quality service delivery and ensure that DBE expectations were met.

SUPPORTIVE SERVICE PROCESS



Average service approval process time: 5 to 30 days

AWARD AND SERVICE MONITORING

Service Approval or Denial

ALL SERVICES MUST BE APPROVED by the Virginia Department of Transportation before initiated. An approval letter is forwarded to the DBE firm, the consultant, and the Virginia Department of Minority Business Enterprise outlining the terms of the agreement and requirements for payment at the completion of service delivery.

If services are denied, a letter of preliminary denial is forwarded to the DBE firm. Within 15 days, if the decision to deny is not challenged by the DBE in writing, the decision will be considered final. The Supportive Services Manager(s) reviews all correspondence before submitting for signature by the Civil Rights Division Administrator.

Service Monitoring

Once a service is approved, customer service is continued through regular monitoring of service progress. If the services have been approved and the firm wishes to cancel service delivery and secure an alternate consultant, or is dissatisfied with product delivery, appropriate steps to support the firm's request should occur. Delayed service implementation may be a remedy. Assisting a firm to locate an alternate consultant may be another remedy. In any case, any actions or delays will be confirmed and communicated in writing with the DBE firm.

DMBE Follow-up Assessment (FUA)

The Virginia Department of Minority Business Enterprise will conduct an on-site follow-up assessment with the DBE firm near the end or at the conclusion of service delivery. The purpose of a follow-up assessment is to ensure satisfactory product and service delivery to DBE firms and provide the DBE firm with an opportunity to evaluate supportive services. VDOT notifies VDMBE when the DBE conveys that services are complete.

CUSTOMER SERVICE

At all times, VDOT works to provide extraordinary customer service to our clients. Our aim is to increase the value customers derive from basic supportive service assistance by listening, assessing DBEs needs and desires, and assisting in the implementation of those interests. Timely and successive provisions of service should be the main objective of all supportive service providers.

All players (the DBE firm, supportive services providers and consultants) should be informed during the entire service delivery process. This can be best achieved by regular communication and correspondence to all parties involved. The success of legal and accounting services lies in communication and commitment from all parties involved in the supportive service process.